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September 24, 2015

The Honorable William H. Alsup
United States District Judge
U.S. District Court
450 Golden Gate Avenue
Courtroom 8, 19th Floor
San Francisco, CA 94102

Re: *Oracle America, Inc. v. Google Inc.*, Case No. 10-cv-0561
Response to Order dated September 16, 2015 (ECF 1316)

Dear Judge Alsup:

By Order, dated September 16, 2015, the Court requested that Oracle further address the issues it had raised regarding Dr. Kearn's production of redacted reports in response to the Court's prior order that such reports be produced and address what assistance this Court could provide in facilitating the production of unredacted versions of those documents. The Court also asked that Oracle address the reason why it had not sought relief from Judge Koh to obtain those documents.

As explained at the hearing, held September 17, 2015, Oracle did not seek relief from Judge Koh because under paragraph 14(a) of the *Apple v. Samsung* protective order, when material is requested by another court, it is Apple and Samsung's responsibility to go before that court to raise any issues relating to the production of the documents at issue. Further, Oracle had no standing to seek relief from Judge Koh. Finally, the Court ordered that the deadline for any motion to disqualify Dr. Kearn is October 15, 2015. *See* ECF 1322.

As for the production of unredacted version of the documents, the parties have worked together to resolve this issue and have succeeded in reaching a resolution, as indicated in the Stipulation filed earlier today. That Stipulation, agreed to by counsel for Oracle, Google, Samsung, Apple and Dr. Kearn, provides for the production of unredacted copies of Dr. Kearn's materials by October 2, 2015. That production will provide sufficient time for the parties to prepare and file any necessary motion to disqualify Dr. Kearn by the October 15, 2015 deadline, ordered by the Court on September 21, 2015. *See* ECF 1322.

Very truly yours,

/s/ Peter Bicks

Peter Bicks